

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In Re:

**JAMES DONALD LACEY**

Debtor(s)

Chapter: 13  
Case Number: 5-22-02207

**CERTIFICATE OF MAILING**

The undersigned employee in the office of:

**Tullio DeLuca, Esquire**

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hereby certifies that a copy of the attached Notice of Debtor's Motion to Approve Private Sale of Personal Property Free and Clear of All Liens, Charges and Encumbrances was mailed today to all parties named on the mailing list attached hereto by regular first class mail.

DATED: October 7, 2024

SIGNED: 

TITLE: Legal Assistant

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

CASE NO. 5-22-02207

JAMES DONALD LACEY

Debtor.

CHAPTER 13

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JAMES DONALD LACEY

Movants,

vs.

INTERNAL REVENUE SERVICE,  
PENNSYLVANIA DEPARTMENT OF  
REVENUE, PENNSYLVANIA  
DEPARTMENT OF LABOR &  
INDUSTRY, PENNSYLVANIA LIQUOR  
CONTROL BOARD and JACK N.  
ZAHAROPOULOS, ESQUIRE,  
CHAPTER 13 TRUSTEE

Respondents.

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NOTICE OF DEBTOR'S MOTION TO APPROVE PRIVATE SALE OF PERSONAL  
PROPERTY FREE AND CLEAR OF ALL LIENS, CHARGES AND ENCUMBRANCES

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NOTICE IS HEREBY GIVEN THAT:

Debtor, James Donald Lacey resides at 444 East Main Street, Nanticoke, PA and seeks leave to sell personal property of the above captioned case described as Restaurant Liquor License R961 LID No. 9710 to Pizza Althea, LLC for the sum of Fifty Six Thousand (\$56,000.00) Dollars. The sale is to be free and clear of all liens, charges and encumbrances, with all valid liens and encumbrances to be paid at time of closing.

The proposed sale will be free and clear of any statutory liens, or other liens, charges and encumbrances. Any valid and perfected mortgage, statutory lien or other liens will attach to the proceeds of the sale with the same priority it now enjoys. Any net proceeds to be paid to the Chapter 13 Trustee for distribution in accordance with Debtors' confirmed Chapter 13 Plan.

The Debtor further request the Court to allow distribution of the proceeds from the sale of personal property as follows:

- a. Any out-of-pocket expenses advanced by Tullio DeLuca, Esquire in connection with the sale of the aforementioned property, and which have not been reimbursed at the time of settlement along with an attorney fee of \$1500.00;

- b. Debtor's exemption if any
- c. The net sale proceeds shall be paid to Jack N. Zaharopoulos, Esq., Chapter 13 Trustee.

Any inquiries regarding the sale and/or to request for copies of the motion or a time and date to examine the property prior to the sale, can be made directly to Debtor's Counsel, Tullio DeLuca, Esquire.

Hearing on any Answers or Objections will be heard on October 22, 2024 at 10:00am. If no objection and request for hearing are timely filed with the Bankruptcy Clerk, 197 South Main Street, Wilkes-Barre, PA 18701 to the sale of the aforementioned personal property on the above terms and conditions on or before **October 21, 2024**, the Court may grant the relief requested. If you desire to contest this matter, file a written objection in the form of responsive pleading and request a hearing with a copy to Tullio DeLuca, Esquire at the address below: Any filing must conform to the Rule of Bankruptcy Procedures unless the Court determines otherwise.

Date of Notice: October 7, 2024

Tullio DeLuca, Esquire  
381 N 9<sup>th</sup> Avenue  
Scranton, PA 18504  
(570) 347-7764

Andrew Marley, Esq.  
1581 Main Street, Suite 200  
Warrington, PA 18976-3403

COMCAST  
PO BOX 1931  
Burlingame, CA 94011-1931

Comcast-PA  
Attn: Bankruptcy  
1555 Suzy St.  
Lebanon, PA 17046-8318

Credit Collection Service  
725 Canton St.  
Norwood, MA 02062-2679

First National Bank of PA  
4140 E. State St.  
Hermitage, PA 16148-3401

Fortiva  
P.O. Box 105555  
Atlanta, GA 30348-5555

Luzerne County Tax Claim Bureau  
c/o Northeast Revenue Service  
200 N. River St.  
Wilkes-Barre, PA 18711-1004

Nanticoke City Sewer  
PO Box 2723  
Wilkes-Barre, PA 18703-2723

US Department of Education  
PO Box 16448  
Saint Paul MN 55116-0448

United States Trustee  
228 Walnut Street, Suite 1190  
Harrisburg, PA 17101-1722

Waterfall Victoria Grantor Trust II, Series  
c/o Specialized Loan Servicing LLC  
6200 S. Quebec Street, Suite 300  
Greenwood Village, Colorado 80111-4720

Waterfall Victoria Grantor Trust, III  
c/o Statebridge Company, LLC  
6061 South Willow Drive, Suite 300  
Greenwood Village, CO 80111-5151

JACK N ZAHAROPOULOS  
ATTN CHAPTER 13 TRUSTEE  
8125 ADAMS DRIVE SUITE A  
HUMMELSTOWN PA 17036-8625